

## JIM WHAM'S 9TH ANNUAL MEMORIAL DAY SERVICE ADDRESS

## HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 28, 2004*

Mr. SHIMKUS. Mr. Speaker, I rise today to submit the 9th Annual Memorial Day Service Address by Jim Wham of Centralia, IL. The address was given by Mr. Wham on May 31, 2004 at 10 a.m.

As usual, readers will find an address filled with the hopes and challenges of our Nation's veterans. Jim Wham's love of his country is clear on each page and in each line of his address.

We are grateful to him for his continued service to his country and for the inspiration he provides in reminding us that freedom is never free.

NINTH ANNUAL MEMORIAL DAY SERVICE, BROWNSTOWN VFW POST 9770, BROWNSTOWN CENTRAL PARK

The greatest crusade for freedom against tyranny in the history of the World was commemorated last Saturday at the dedication of the National World War II Memorial. It will stand forever between the Washington and Lincoln monuments. The costs of that crusade was monumental—400,000 Americans were killed.

Six days from now the 60th anniversary of the Normandy Invasion will command worldwide attention—the greatest invasion of all time had to be made and succeed if the free world was to win the war.

Today in Brownstown and in thousands of towns across the country each Memorial Day is a day of memories. Each Memorial Day is to honor and pay tribute to all Americans who fought and died for their country in the cause of peace and freedom in every war from the Revolution to the present day. Every one of their deaths are special beyond compare.

As Lincoln said at Gettysburg, it is for us, the living "to highly resolve that these dead shall not have died in vain."

Each Memorial Day is also a day to look to the lessons of the past to meet the dangers of the future. During my lifetime, the Armed Forces of the United States have been engaged throughout the world in eight wars: World War I, World War II, Korea, Vietnam, Desert Storm, the Balkans, Afghanistan and now Iraq.

In all of these wars Americans fought against the forces of tyranny and now against the new and vicious barbarians who cut off the heads of living men and crash planes full of innocent people into buildings full of innocent people.

The fanatical terrorists, suicide bombers, and their manipulators who are fueled by a hatred for every American. Fanatical kamikazes with no concern for the miracle of life—even their own. Full of diabolical cunning—cut from the same cloth as those monsters of history—spawned by the likes of Hitler and his gang of criminal degenerates.

Nine-eleven was just the beginning. Today we confront that same brand of terrorist in Iraq. And the terrorists we destroy in Iraq will never assault innocent people. A terrorist killed in Iraq will kill no one over here or anywhere else. But yet, we still hear those ominous words of Plato: "That only the dead have seen the end of war."

Is the human race to be forever victimized and dominated by demented and depraved tyrants and terrorists? Is there no end in sight? The forces of evil won't go away. They never

have and they never will. So, what are the forces of good to do about it? Plenty—yet, many self-proclaimed good ones never have learned that you cannot negotiate with mad dogs, terrorists, or tyrants of any stripe. Never have they learned that the good cannot wait for the bad to quit being bad. And quitting the fight in mid-stream is the road to disaster. We cannot quit—even if we wanted to.

The United Nations never learned the lesson from the League of Nations which sat idly by while Hitler overran Europe and for 4 long years the whole world was engulfed in devastation and bloodshed to a depth never before seen in the history of the world.

And now, 60 years later, a new cult of second-guessers of our national fight against tyranny and terrorism has arisen—there are those who seek to sow doubt and discord among Americans, and there are those who have never learned the lesson that they do not really support the troops while publicly condemning and disparaging their Commander. Such only gives encouragement to the enemy. What happened to the doctrine of World War II that politics stops at the water's edge? The talkers and the shouters on national television have ignored that vital doctrine. Every day they criticize every decision of those who are trying their best to lead and protect the Nation in an all-out war against tyrants and terrorists that would destroy the American spirit, as well as lives.

If the Commander in Chief moves forward, the second-guessers say he should have stopped. If the Commander in Chief stops, they say he should have moved forward—or maybe even backward. What would these talkers do if the responsibility to act was theirs? They speak from the sanctuary of nonresponsibility.

Legitimate differences by knowledgeable persons are to be brought to the Commander in person and not by carping critics who sit on the sidelines and jeer. Sometimes I wonder whose side they are on.

There was the same brand of criticism leveled at Abraham Lincoln, the Commander in Chief in that war that preserved the Nation and destroyed the malignancy of slavery. But Lincoln, unshaken in the midst of that war, at Gettysburg summed up the duty of Americans through all ages: "... it is for us the living ... to be ... dedicated to the great task remaining before us ..."

The power of Lincoln is felt on every Memorial Day. And he left us this as he concluded his second inaugural address to the Nation at war a month before he was shot from behind by a terrorist named Booth. And these few simple words are vital to all Americans today: "... let us strive on to finish the work we've begun."

And that work is always at hand. Each generation must fulfill the destiny of this land of liberty which is all wound up in the cause of peace and freedom. Never can there be peace and freedom without conquering the barbarians of the world—the enemies of peace and freedom.

I have with me today a highly significant painting and I want to give it to the Veterans of Foreign Wars Post 9770 of Brownstown. I have done the same at other veteran organization ceremonies. I do this because of the message it conveys.

It is a picture of a wall, as you can see. It is entitled "reflections" and the reflections are of combat soldiers from a wall of names—the names of all Vietnam veterans who fell in battle. But, that picture tells the story of all American veterans—not just the Vietnam veterans—it tells the story of all American veterans who have made the supreme sacrifice for their country.

Soldiers who did all they could and now pass on to us the unfinished work—the con-

tinuing responsibility to preserve this country and its meaning to the world.

Those soldiers of Vietnam in that picture symbolize the passing of the torch—the torch of duty, honor, country—to the living from the dead of every war.

I hope you will hang this picture on the wall of the post because it tells the story of the American veteran of all the wars—veterans who never returned—veterans who pass the torch to those of us who did return—the torch to carry on the fight of good against evil—the fight for peace and freedom against tyranny and terror. The torch that must be kept lit and carried forward by every generation for as long as the star-spangled banner shall wave.

What a shameful epitaph any generation of Americans would write about themselves if they let down these heroes who died to preserve this land and its destiny.

Nations have come and gone. Great empires and nations have eventually ended up on the ash heap of history. They had their day in the sun, and then almost imperceptibly, the twilight creeps in, and before the generations realize it, the sun is gone and that empire and nation has receded back into the darkness of oblivion. This must never happen to the United States of America.

It would be a monumental tragedy for us in the grip of multiple frustrations of today's world to tolerate for an instant a retreat back from the confrontation by free men against terror and tyranny. Such a lack of national resolve would be the rankest of insults to every man who gave his life so that the Nation might live in honor and achieve its destiny of leading the world to freedom.

Television land is saturated with apologizers and cynics. But thank God for the inspired writers of the past and their words of inspiration and appreciation for their native land and the heroes we honor today.

Here is a composite of their great words. We have heard them before, but it is always good to hear them again:

"We sit here in this promised land, but t'was they that won it sword in hand"

"By the rude bridge which arched the flood ... they fired the shot heard 'round the world ..."

"They had a rendezvous with death at some disputed barricade on some scarred slope of a battered hill at midnight in some flaming town ..."

And now: "On fame's eternal camping ground their silent tents are spread and glory guards with silent round the bivouac of the dead ..."

"Oh wave, banner, wave above each hero's grave ..."

"In Flanders Field where poppies grow ..."

And: "From these honored dead we take increased devotion to that cause for which they gave their last full measure of devotion ..."

"There's a graveyard near the White House where the Unknown Soldier lies"

And then it concludes with this famous line:

"I am the unknown soldier and maybe I died in vain, but if I were alive and my country called, I'd do it all again."—for my country

"My country 'tis of thee, sweet land of liberty ... long may our land be bright with freedom's holy light. Protect us by Thy might, great God, our King."

My friends, since I came home from World War II I have spoken at many Memorial Day services like this one. And always echoing from the sounding of taps among the crosses of this Nation's heroes is the hope that when this Nation has lived 1,000 years, it can be

said of each generation that the Stars and Stripes went forward forever and no discordant bugle ever dared to sound retreat.

Jim Wham is Senior Partner of the law firm of Wham & Wham Lawyers, Centralia, Illinois, which firm has been in existence 115 years and Jim Wham is in his 56th year of active law practice in the Courts of Southern Illinois.

Born in Centralia October 10, 1918, Veteran of World War II, Major in Army Air Corps, served in England, Algeria, Tunisia, Sicily and Italy. Lifetime member of the American Legion. Member of the Veterans of Foreign Wars, Amvets and the Forty and Eight.

Member of the American College of Trial Lawyers. Served as Judge of the Illinois Court of Claims and as Assistant Attorney General, State of Illinois. Received the 1998 Tradition of Excellence Award from the Illinois State Bar Association.

Elected to the 2004 Class of Laureates, Academy of Illinois Lawyers. The Academy was founded in 1999 to recognize Illinois lawyers who personify the greatness of the legal profession.

Adult Sunday school teacher for 45 years, United Methodist Church, Centralia.

Married to Phyllis Wham 61 years. Two daughters, seven grandchildren and two great-grandchildren.

[From the ISBA Bar News and Illinois Courts Bulletin, Feb. 2004]

JAMES WHAM WAS INSPIRATION FOR BIRTH OF LAUREATE IDEA

(By Stephen Anderson)

"This honor you have given me today means more to me than any I have ever received, because it comes from lawyers and judges—and I never met one I didn't like!"

Those words still ring in the ears of many ISBA members who attended the Annual Meeting in St. Louis in 1998. They were in the response of James B. Wham of Centralia as recipient of the General Practice Section Tradition of Excellence Award.

"This is still the greatest profession of them all, because it always deals with rights and duties of man," he continued. That became the spark that kindled formation of an Academy of Illinois Lawyers to recognize our state's icons of lawyering.

A member of the Academy's 2004 class of Laureates, Wham is a partner in Wham & Wham. He graduated in 1946 from the University of Illinois College of Law after service as an Army Air Corps major in Europe and Africa during World War II.

His 58-year legal career includes having been a judge of the Court of Claims for eight years, an assistant attorney general for eight years, and a member of the Supreme Court Committee on Jury Instructions.

A lifelong Republican and frequent speaker at civic and patriotic events, he ran for election in 1990 as the Jim Wham Party for Congress and the Flag. He ran in the first Appellate Court election after judicial reform in 1964 but lost in the Lyndon Johnson landslide.

Wham is a Fellow of the American College of Trial Lawyers and the American Bar Foundation, and a member of the International Society of Barristers.

In his Laureate nomination letter, 4th Circuit Judge Patrick J. Hitpas said that "Jim Wham enjoys being a lawyer more than anybody I know. He exemplifies everything good about lawyers and the legal profession."

Wham's 1998 speech to the ISBA in St. Louis concluded, "The greatest epitaph of a lawyer is this: He never quit; he just wore out and died, doing something for somebody else." An active trial lawyer at age 85, he shows no signs of wearing out.

IN HONOR OF HENRY MELLO

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2004

Mr. FARR. Mr. Speaker, my colleagues and I rise today in honor of a good friend and outstanding public servant, former California State Senator Henry Mello. Henry passed away on September 4, 2004, but will always be remembered for his dedication to the communities of the Central Coast. He will be greatly missed by his family and friends, but his legacy will live on in many ways.

The son of Portuguese immigrants, Henry was born in 1924 in the rural community of Watsonville, where his mother's family had been farming apples since 1874. He had an eye for business and left Hartnell College after one year to work with his family on the apple farms. At the age of 29 Henry founded John C. Mello and Sons Cold Storage and ran it for twenty years before selling it to Del Mar Food Products in 1973. By this time Henry had found his true calling: public service.

In 1966 Henry officially began his political career with his election to the Santa Cruz County Board of Supervisors. He was not afraid of politically charged issues, and in 1972 composed a motion disapproving the United States' involvement in the Vietnam War. Because of his dedication to his constituents and his commitment to the Monterey Bay area, he was elected to the California State Assembly, serving from 1976 to 1980. Henry was then elected to the State Senate, rising quickly to prominent positions, including the majority whip from 1981 to 1992 and the majority leader from 1992 until he left the legislature in 1996.

While in the legislature, Senator Mello was an ardent supporter of many vital segments of our population, especially senior citizens. Senator Mello authored legislation to enact the first programs focusing on Alzheimer's-Respite Care, Adult Day Health Care and the Multipurpose Senior Services Programs. He founded the Senior Legislature and passed legislation to combat elder abuse. In the twenty years that Senator Mello served in the legislature, he authored more than 120 bills on aging and long-term care that have become the law of the land in California.

However, Henry's service and advocacy extended far beyond just one subject. He was also a strong supporter of our ocean's health, authoring legislation to protect fisheries, working to keep off-shore oil away from California's coastline, and petitioning for the Monterey Bay National Marine Sanctuary. He has created many lasting legacies on the Central Coast, including Wilder Ranch and Grey Whale State Parks, which are enjoyed by thousands of people each year. He also supported the creation of the Center for Agroecology and Sustainable Food Systems at the University of California, Santa Cruz, which has made tremendous strides in organic and sustainable farming practices worldwide.

When Fort Ord was slated to be closed by the U.S. Army, Senator Mello introduced legislation to create the Fort Ord Reuse Authority to help the state and the region handle the largest base closure in U.S. history. He was also proactive in transferring this area into civilian use, and helped create the California

State University, Monterey Bay on the former base. He was a co-author of the Mello-Roos Act of 1982, which provided funding for education and other public projects through tax-exempt bonds. Following the Loma Prieta earthquake, Henry secured a temporary sales tax increase to help the devastated communities of the Central Coast, a measure which proved to be invaluable to the local governments in their efforts to rebuild. In his hometown, he is perhaps best known to the general public for helping to raise funds to rebuild the performing arts center in Watsonville after it was destroyed in the earthquake. It was opened in 1994 as the Henry J. Mello Center for the Performing Arts, which was particularly fitting because Senator Mello was known for contributing his musical talents on the piano for many state and local functions.

Mr. Speaker, Henry Mello was the consummate public servant and master of the art of compromise. His legacy to the State of California is felt through the landmark legislation that he passed as well as through those whose lives he touched personally. Many of us in the California Congressional Delegation worked closely with Henry throughout our public service careers, and we all wish to extend our deepest sympathies to his wife, Helen, and his sons Stephen, John, Michael and Timothy.

IN MEMORY OF W. HARRINGTON SMITH, JR.

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2004

Mr. WOLF. Mr. Speaker, I would like to call to the attention of the House the passing of W. Harrington Smith, Jr. A longtime public servant, Mr. Smith spent 18 years on the Frederick County Board of Supervisors. I had the pleasure of working with Mr. Smith during this time as he represented the Shawnee district.

It was an honor to have known Harrington Smith, who worked hard and impacted many lives during his service in Frederick County, Virginia. My condolences go out to his family, friends, and colleagues as they mourn the loss of this great man. I would also like to share a recent article from The Winchester Star which commemorates his life and work.

[From The Winchester Star, Aug. 10, 2004]

FREDERICK COUNTY SUPERVISOR HARRINGTON SMITH DIES

(By Laura Arenschield)

One of Frederick County's "old buddies" died on Monday afternoon, leaving a trail of jokes, doting friends, and "Bone-a-lobes" behind him.

W. Harrington Smith Jr., 78, who spent 18 years on the Frederick County Board of Supervisors, died in Winchester Medical Center two weeks after undergoing surgery for a stomach aneurysm.

Smith served on the board from 1988 until his death, representing the Shawnee District. He was known for his "Bone-a-lobes"—trips around the area to talk with the people he represented.

He went to find their problems, and to fix them, and to make people feel comfortable with a grin, a pat on the back, and a "hey, old buddy, hey old friend" for a greeting,